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April 18, 2019

## MEMO ENDORSED

### SUBMITTED BY ECF AND FACSIMILE

The Honorable Paul G. Gardephe  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2204  
New York, New York 10007  
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*The parties' proposed schedule for summary judgment briefing is adopted by the Court. The schedule for expert discovery will be set once the parties' summary judgment motions are resolved. The Clerk will permeate DKt. No. 45 as withdrawn.*

Re: **Thor 680 Madison Ave LLC v. Qatar Luxury Group S.P.C., et al.**, 1:17-cv-08528 U.S.D.C., Southern District of New York (Foley Square)

**Paul G. Gardephe, U.S.D.J.**

Dear Judge Gardephe:

On behalf of Defendant Qatar Luxury Group S.P.C. ("QLG"), we write to notify the Court that QLG hereby withdraws its letter-motion for a conference seeking leave to file a motion for judgment on the pleadings (Docket # 45) and its opposition to plaintiff's letter seeking leave to amend the complaint. (Docket # 48.) This withdrawal is without prejudice to QLG advancing the same arguments in a post-discovery dispositive motion, and does not constitute an abandonment of any argument or contention set forth in the letters. The parties will submit a separate stipulation permitting Thor to file its Second Amended Complaint.

Following the parties' telephonic discovery dispute conference with Judge Cott on April 2, 2019, the parties have conferred regarding the discovery ordered following the conference. Plaintiff Thor 680 Madison Ave LLC ("Thor") has produced the ordered documents, and discovery is now closed. Based on Judge Cott's order and the rationale for streamlining the issues in this litigation set forth in the parties' proposed joint stipulation extending and altering the remaining deadlines in this case (Docket # 55), the parties respectfully propose the following schedule for the Court's consideration.

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The Honorable Paul G. Gardephe

Page 2

Event	Requested Date
Motions for summary judgment by each party	May 20, 2019
Oppositions to motions	June 20, 2019
Replies to oppositions	July 2, 2019
Party-proponent expert disclosures	60 days after summary judgment motions are decided
Party-opponent expert disclosures	45 days after party-proponent expert disclosures
Complete expert discovery	30 days after party-opponent expert disclosures

On April 17, 2019, Judge Cott issued an order directing the parties to explain why this letter was not filed by April 9, 2019, per his April 2 order.

On April 8, 2019, Thor provided QLG with a newly amended complaint that differed from the draft that was the subject of its January 25, 2019 letter-motion to amend the complaint. The parties were negotiating the terms of the stipulation allowing Thor to file its Second Amended Complaint, reaching agreement on April 17, 2019 (before the issuance of the order requiring the parties to explain the reasons for the delay in filing this letter). During this time, the parties were negotiating the proposed deadlines included in this letter.

The parties apologize for this delay, which was not intended as disrespect or disregard for Judge Cott, Judge Cott's order, or Your Honor.

Dated: April 18, 2019

Respectfully submitted,

**SQUIRE PATTON BOGGS (US) LLP**

/s/ Aneca E. Lasley

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The Honorable Paul G. Gardephe  
Page 3

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/s/ Joseph Lee Matalon (with consent)

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cc: All counsel of record via ECF notice